

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8855 of 2022

1. Dinbandhu Prabhakar Son of Upendra Prasad Resident of Village- Dalhatta Chouk Munger, P.O. and P.S. and District- Munger.
2. Ram Niwas Tiwari Son of Sudhir Tiwari Resident of Village and P.O.- Sohjana, P.S.- Gidhaur Ratanpur, District- Jamui.
3. Md. Sabir Hussain Ansari Son of Mahboob Alam Resident of Village- Chandila, P.O.- Pir Maker, P.S.- Maker, District- Saran.
4. Firoj @ Md. Firoj Alam Son of Md. Shakur Ansari Resident of Village- Sultanganj, P.O.- Fulwariya, P.S.- Amnaur, District- Saran.
5. Md. Shakil Son of Md Samid Resident of Village and P.O.- Kawakol, P.S.- Kawakol, District- Nawada.
6. Rakesh Kumar Son of Aditya Ram Resident of Village- Purani Bazar Santar Mohalla, Ward No.13, P.O.- Lakhisarai, District- Lakhisarai.
7. Subodh Kumar Son of Jayram Sharma Resident of Village- Naya Tola Purani Bazar, Chitranjan Road, Ward No.10, P.O., P.S. and District- Lakhisarai.
8. Chandra Bhusan Mishra Son of Shionath Mishra Residence of Village Karanpura, P.O.- Kharwanti Bazar, P.S.- Kuchaikote, District- Gopalganj.
9. Vijay Kumar Son of Arjun Mahto Resident of Village and P.O.- Dhira, P.S.- Halsi, District- Lakhisarai.
10. Gayanendra Kumar Son of Sadanand Prasad Singh Resident of Village and P.O.- Ithari, P.S.- Jamalpur, District- Munger.
11. Bishnukant Kumar Son of Awadh Kishor Sahu Resident of Village- Singarpur, P.O.- Bichhway, P.S.- Chanan, District- Lakhisarai.
12. Shashi Kumar Son of Late Lakhan Saw Resident of Village- Bari Durga Asthan Naya Bazar, P.O., P.S. and District- Lakhisarai.
13. Ranjit Kumar Son of Sudama Prasad Resident of Village- Champachakk, P.O.- Tetia Bambar, P.S.- Sangrampur Champachak Munger, District- Munger.
14. Devendra Paswan Son of Arvind Paswan Resident of Village- Tetariya, P.O.- Baray, P.S.- Islampur, District- Nalanda.
15. Shatrughan Prasad Yadav Son of Ram Sugarat Yadav Resident of Village- Naurangia, P.O.- Semarahia, P.S.- Lakhaura, District- East Champaran.
16. Sadanand Kumar Son of Basudeo Thakur Resident of Village- Ward No.5, Dehad, P.S.- Sonbarsa Raj, District- Saharsa.
17. Santosh Kumar Son of Surajdeo Paswan Resident of Village- Surajpur P.O., P.S.- Hulasganj, District- Jehanabad.
18. Prabhakar Kumar Singh Son of Dhananjay Prasad Singh Resident of Village- Chhatrahar, P.O.- Chhatrahar, P.S.- Shambhuganj Chhatrahar, District- Banka.
19. Binod Thakur Son of Sarju Thakur Resident of Village- Panchmahla, P.O.- Tikari, P.S.- Tikari, District- Gaya.



... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Secondary Education Department, Govt. of Bihar, Patna.
4. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
6. All 38 D.E.O. under State of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ram Narayan Mahto, Adv.
For the Respondent/s : Mr.Smt. Shilpa Singh (Ga 12)
For the State : Mr. Ram Vinay Pd. Singh, AC to GA-XII

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 29-06-2022 The case is being taken up from defect side.

Learned counsel for the petitioners is directed to submit the original petition along with attested affidavits and also remove all the defects pointed out by the Registry within two weeks from today.

The petitioners by way of this writ petition has prayed as under:-

“(i) For issuance of an appropriate writ(s), order(s) direction(s) to the respondents to give the total vacant post till 30th June 2019 for the selection/appointment of 6 phase of High School Teacher appointment/selection of 2019 which has passed in STET examination 2011 in view of order of this Hon’ble Court being C.W.J.C. No. 20095 of 2019 order dated 18.02.2020 and in view of that education department Govt. of Bihar, Patna has issued vide



Memo no. 425 dated 26.02.2020.

(ii) For issuance of an appropriate writ(s), order(s) direction(s) to the respondents to give the total vacant post of High School Teachers 35266 in view of Samagra Shiksha Abhiyan meeting of the project approval Board (PAB) held on 29th May 2019 same has issued on 19.07.2019 and also give the vacant sanction post as 25270 in view of vide Memo 9/B.V.P.No.14/2019/406 dated 12.07.2019, letter no.01/2019, dated 05.08.2019, letter no.01/2019, 01-05 dated 28.08.2019, Letter no.01/2019, 01-06 30.08.2019 which has been vacated till 30.06.2019.

(iii) For issuance of appropriate writ(s), order(s) direction(s) to the respondents which your Lordships may deem fit and proper.”

From the bare perusal of the prayers, it is apparent that the petitioners by way of this writ petition is seeking information which he could have otherwise obtained by moving R.T.I. application. Obviously, writ petition proceeding cannot be converted into a forum under R.T.I.

The writ petition is wholly mis-conceived and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 19

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